



#12



MEMORANDUM

Transportation & Development – CC Memo No. 13-094

DATE: SEPTEMBER 12, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJ*
JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
KEVIN MAYO, PLANNING MANAGER *KM*

FROM: DAVID DE LA TORRE, PRINCIPAL PLANNER *DDLT*

SUBJECT: ANNEXATION PUBLIC HEARING – NORTHEAST CORNER OF GILBERT
AND QUEEN CREEK ROADS
Introduction and Tentative Adoption of Ordinance No. 4487

Request: Annexation of approximately 4.8 acres

Location: Northeast corner of Gilbert and Queen Creek roads

Applicant: Troy DeVos, QuickTrip Corporation

BACKGROUND

The subject site is currently undeveloped and is zoned Rural-43 in the County. The site is bordered by a church to the north and existing rural residential homes to the east. The Chandler Land Use Element of the General Plan designates the site as residential. However, being located at the corner of two arterial streets the General Plan also allows other uses such as commercial and office. As such, the property owner intends to submit a rezoning application following annexation to allow the development of a convenience store and gas station.

UTILITY SERVICES

Existing municipal water service (16”), reclaimed water (12”), and sewer service (21”) are available in Gilbert Road.

PLANNING STAFF COMMENTS

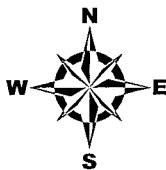
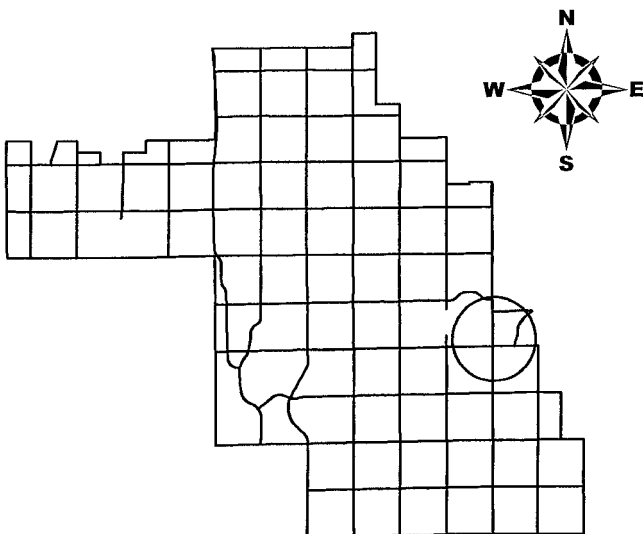
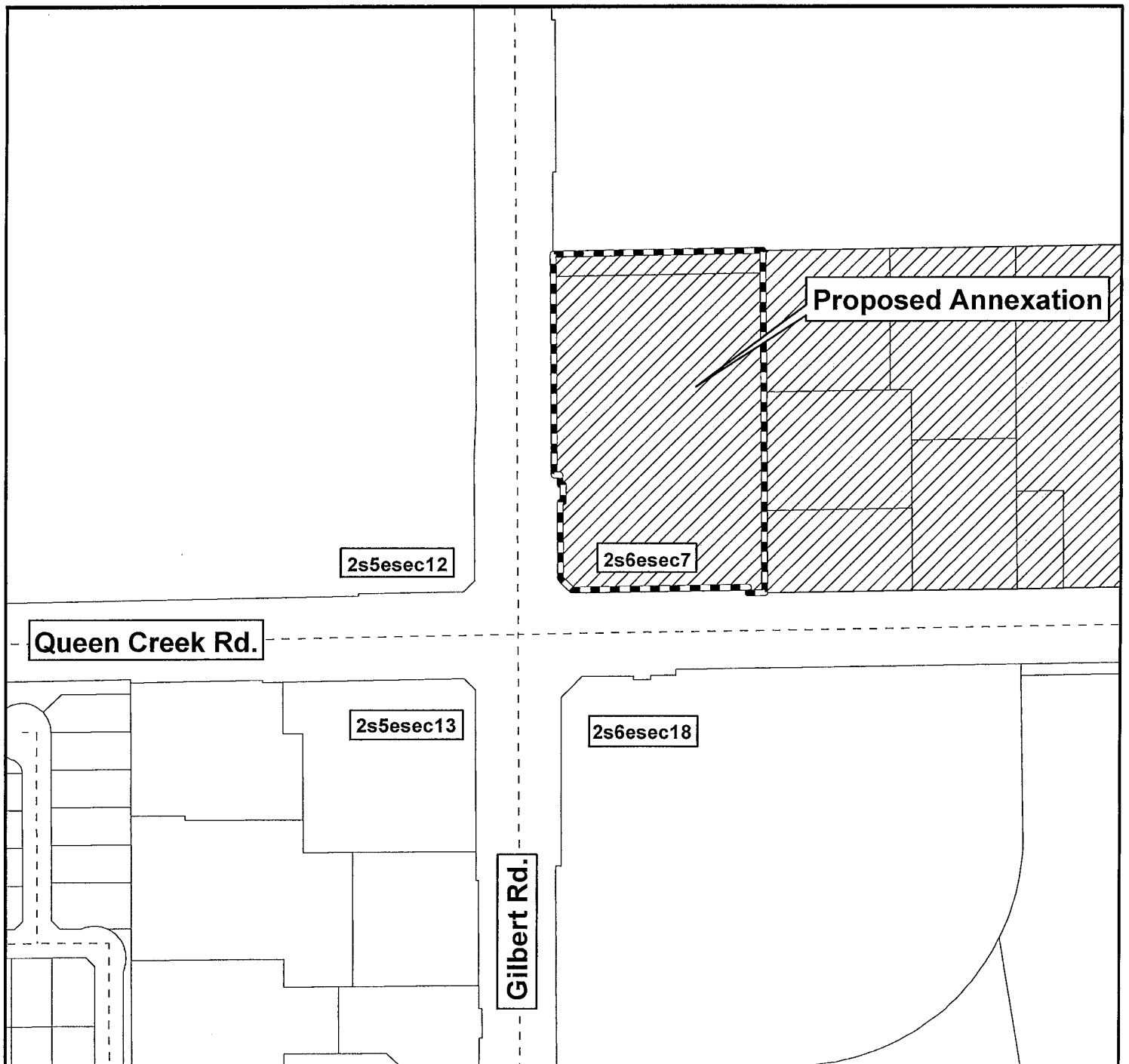
Planning Staff circulated this request among City Departments and received no negative comments relative to the property’s annexation.

RECOMMENDATION

Move to introduce and tentatively adopt Ordinance No. 4487, annexing approximately 4.8 acres of land described in said Ordinance, also known as NORTHEAST CORNER OF GILBERT AND QUEEN CREEK ROADS, as recommended by Planning Staff.

Attachments

1. Annexation Map
2. Ordinance No. 4487



Annexation Map



Proposed Annexation

Northeast Corner of Gilbert Road
and Queen Creek Road



Incorporated Area



Unincorporated Area

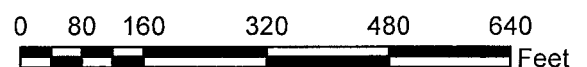


Exhibit A

ORDINANCE NO. 4487

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF CHANDLER, MARICOPA COUNTY, STATE OF ARIZONA, (NORTHEAST CORNER OF GILBERT AND QUEEN CREEK ROADS) PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF CHANDLER.

WHEREAS, a petition has been presented in writing to the City Council of the City of Chandler, Arizona, signed by the property owners of at least one-half of the value of the real and personal property as would be subject to taxation by the City of Chandler in the event of annexation and by more than one-half of the property owners within the territory and land hereinafter described as shown by the last assessment of said property, said territory being contiguous to the City of Chandler and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Chandler so as to embrace the same; and

WHEREAS, a blank petition was filed on July 24, 2013 with the County Recorder, that a Public Hearing was held on August 15, 2013 after proper notice was given, that the thirty day waiting period ended on August 23, 2013 and that the petition was circulated thereafter and signed; and,

WHEREAS, the City Council of the City of Chandler, Arizona, is desirous of complying with said petition and extending and increasing the corporate limits of the City of Chandler to include said territory; and,

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed by the City of Chandler and had attached thereto at all times an accurate map of the territory desired to be annexed; and,

WHEREAS, no additions or alterations increasing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and/or personal property in such territory; and,

WHEREAS, no alterations decreasing the territory sought to be annexed have been made and therefore the territory to be annexed is the territory hereinafter described; and

WHEREAS, proper and sufficient certification and proof and the foregoing facts are now on file in the Office of the City Clerk of the City of Chandler, Arizona, together with the original petition referred to herein;

WHEREAS, the City may elect to provide regular fire department services to a newly annexed area under A.R.S. § 48-813(A); and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1. That the following described territory be and the same hereby is annexed to the City of Chandler and that the present corporate limits be and the same hereby are extended and increased to include the following described territory contiguous to the present City limits:

See Attached Exhibit 'A', Annexation Map and Legal Description

SECTION 2. Pursuant to A.R.S. § 48-813(A), the property depicted in Exhibit A is hereby placed under the City's fire, emergency medical and police protection generally provided to other residents within the city. The services shall take effect on the first (1st) day of July following the date on which this annexation becomes final as set forth in Section 6 below, without further action by the City Council.

SECTION 3. Upon adoption of this annexation ordinance, and in no event for longer than six (6) months after the effective date of this annexation ordinance, the county zoning for said property shall continue in effect, unless and until the City of Chandler has established City zoning for said property.

SECTION 4. The Clerk of this City is hereby instructed to file and record a copy of this Ordinance, together with an accurate map of said annexed territory, certified by the Mayor of said City, in the Office of the County Recorder of Maricopa County, Arizona.

SECTION 5. The Transportation & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

SECTION 6. This ordinance shall take effect, and the annexation of the subject property shall become final, thirty days after this Ordinance is adopted.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this ____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day
of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

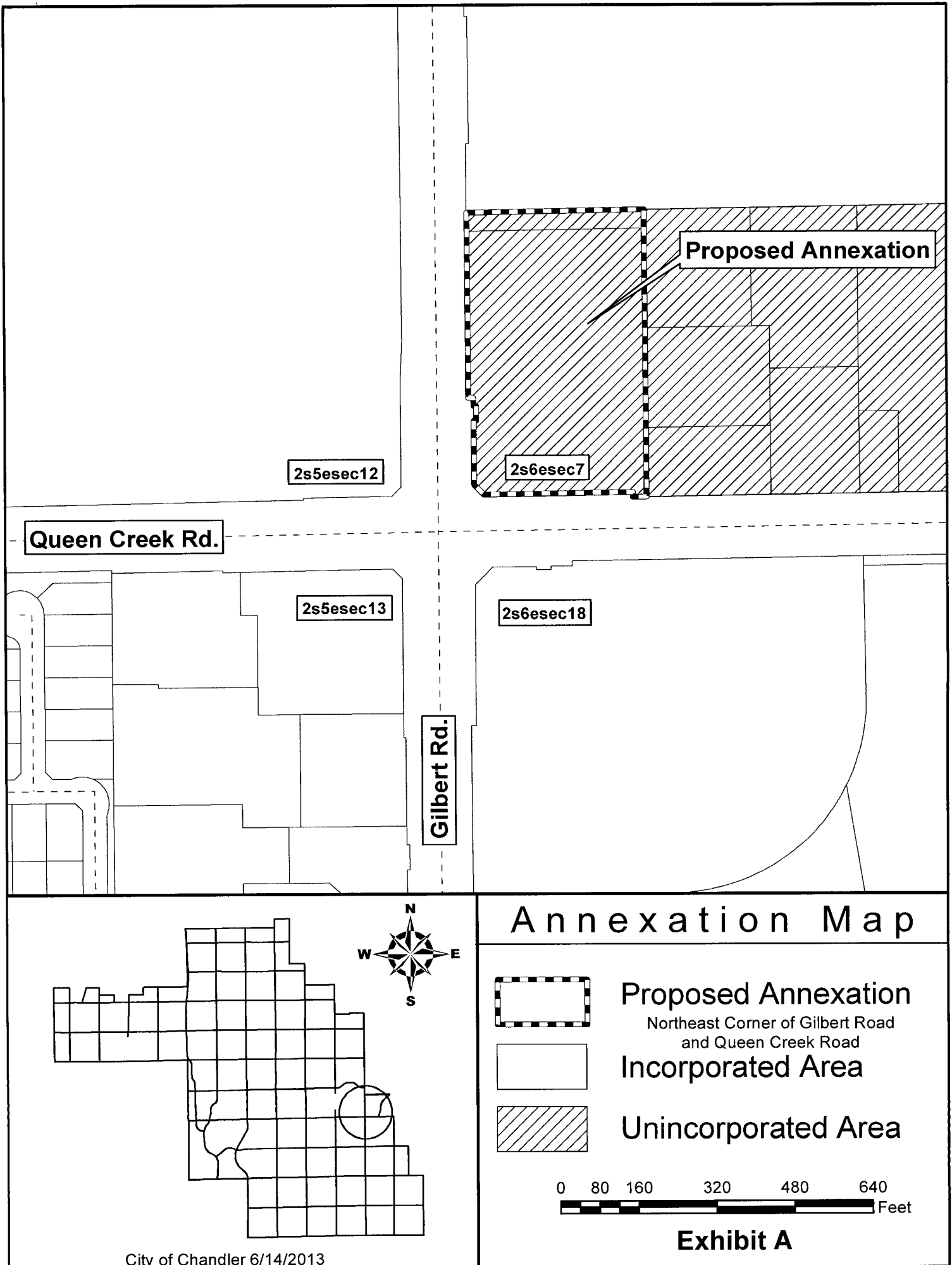
I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4487 was duly passed and
adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the
____ day of _____, 2013, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY GAB

PUBLISHED:



Legal Description
Boundary

A portion of land situated in the Southwest Quarter of Section 7, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a Found Brass Cap in Handhole at the Southwest Corner of said Section 7, from which a Found Brass Cap at the South Quarter Corner of said Section 7 bears North 89 degrees 05 minutes 35 seconds East, a distance of 2503.25 feet;

Thence North 89 degrees 05 minutes 35 seconds East, along the South line of the Southwest Quarter of said Section 7, a distance of 428.01 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 428.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 65.00 feet, to a point on the Northerly Right-of-Way line of Queen Creek Road, said point also being the **POINT OF BEGINNING**;

Thence, along said Northerly Right-of-Way the following three courses:

South 89 degrees 05 minutes 35 seconds West, parallel with and 65.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 28.00 feet;

Thence North 00 degrees 54 minutes 25 seconds West, a distance of 10.00 feet;

Thence South 89 degrees 05 minutes 35 seconds West, parallel with and 75.00 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 304.93 feet;

Thence North 45 degrees 41 minutes 42 seconds West, a distance of 28.19 feet, to a point on the Easterly Right-of-Way line of Gilbert Road;

Thence along said Easterly Right-of-Way line the following three courses:

North 00 degrees 28 minutes 57 seconds West, parallel with and 75.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 179.44 feet;

Thence South 89 degrees 31 minutes 01 seconds West, a distance of 10.00 feet;

Thence North 00 degrees 28 minutes 57 seconds West, parallel with and 65.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 382.99 feet;

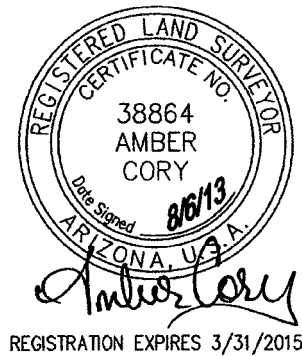
Any modification to or omission from this description completely
absolves the surveyor from any liability for this description.

Thence North 89 degrees 05 minutes 32 seconds East, parallel with and 657.50 feet North of the South line of the Southwest Quarter of said Section 7, a distance of 363.01 feet;

Thence South 00 degrees 28 minutes 57 seconds East, parallel with and 428.00 feet East of the West line of the Southwest Quarter of said Section 7, a distance of 592.52 feet, to the **POINT OF BEGINNING**.

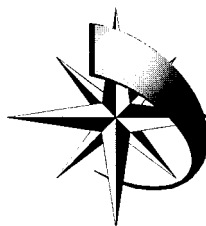
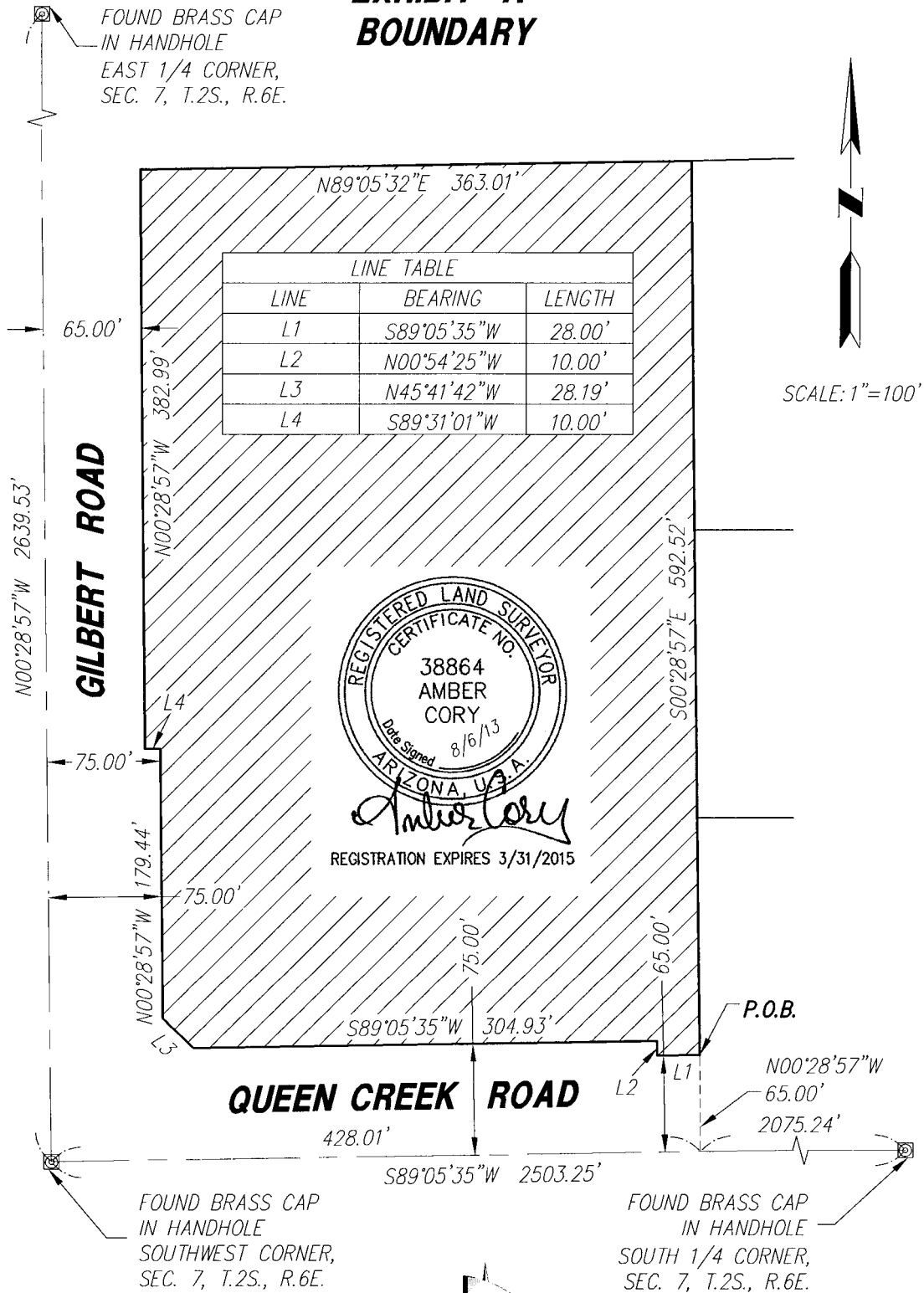
Encompassing 209,538 square feet or 4.810 acres, more or less.

See Exhibit "A" attached hereto and made a part hereof.



Any modification to or omission from this description completely absolves the surveyor from any liability for this description.

EXHIBIT 'A' BOUNDARY



NORTHSIGHT

LANDSURVEYCONSULTING INC
21640 N. 19th Avenue, Suite C-103 | Phoenix, Arizona 85027
P: 480-303-0833 | F: 480-303-0834
www.NorthsightSurvey.com